

**Ministry of Labour
MERC Meeting Minutes**

Date and Time: March 23, 2016: 10:00 am – 4:00 pm.

Location: 400 University Avenue, 7th Floor, Lanark Room, Toronto, ON

For OPSEU: Ken Hill (Co-Chair)*, Ken Burns, Beth Anich, Cindy Abric-Forsyth,
* Chaired meeting

For the Employer: Mike Anderson (Co-Chair), Sandra Lawson, Janis Bártley, Alec Farquhar,
Minerva Papsin, Melissa Vaz (Observer)

NOTE: See Last Page for Acronym definition.

A. Business Arising from Previous Minutes – MERC minutes Follow Ups		
Issue	Discussion	Action Required
2014-020 Process for Investigating Public Complaints Date tabled: Oct 1, 2013	<p>Parties discussed the memo that was sent on March 14, 2016 from the ADM, Operations Division. OPSEU expressed a concern that the memo was not signed jointly by MERC co-chairs, as agreed to at the January meeting.</p> <p>OPSEU raised a concern on the interpretation of point 4 of the Complaint process.</p>	<p>OPSEU to provide their written interpretation and examples by April 15th, for the Employer to consider and respond to before the next meeting.</p>
2014-011 Officer Liability and Compellability Date tabled: July 16, 2014	<p>Employer provided an update on civil matters that involve MOL inspectors.</p> <p>Employer advised that Legal Services is still reviewing the guidance material on Compellability of Inspectors pertaining to "retired inspectors".</p>	<p>Employer will share the reviewed document to OPSEU, once available.</p>
2014-014 Travel, Meals and Wheels	<p>A sub-committee was formed and met on March 21st. The list of questions provided by OPSEU was discussed. The</p>	<p>Updates will be provided at the next meeting.</p>

<p>Date tabled: July 16, 2014</p>	<p>Employer will review the results of the discussion, and send its feedback to OPSEU by April 15th.</p>	
<p>2014-015 Fleet Agreement Date tabled: April 30, 2014</p>	<p>A sub-committee was formed and met on March 21st. Parties agreed to extend the agreement until March 31st, 2017.</p> <p>Parties confirmed that this agreement applies to all employees of Operations Division.</p>	
<p>2014-018 Health and Safety Awareness Training Date tabled: July 16, 2014</p>	<p>Employer provided an update on the status of mandatory H&S Awareness training and confirmed that efforts will continue until all employees have completed the training.</p>	<p>Employer will provide updates until completed.</p>
<p>2014-019 Health and Safety Contact Centre Date tabled: July 16, 2014</p>	<p>Employer provided information on the training materials used by the H&S Contact Centre for those providing back-up.</p> <p>Employer confirmed that requests for back-ups are directed to the employee's manager, who uses his/her discretion in assigning the employee to provide the back-up.</p> <p>OPSEU requested for the number of employees who had provided back-ups and the amount of time spent in providing back-ups.</p> <p>OPSEU raised a concern again about the classification and wage disparity between the Program Assistants who provide the back-ups and the Telephone Advisors at the Contact Centre.</p>	<p>Employer will provide the requested number at the next meeting.</p> <p>Employer will provide a response at the next meeting.</p>
<p>2014-026 ERC Training Date tabled: Sept. 29, 2014</p>	<p>Employer provided a copy of the ERC training materials from TBS.</p> <p>The facilitator from the Disputes Resolution Services (DRS)</p>	

	would like to meet with representatives from the Employer and OPSEU. A meeting will be scheduled shortly.	
2016-001 Interest-Based Dispute Resolution Date tabled: Jan. 21, 2016	The meeting with the DRS facilitator above will include the Interest-Based Dispute Resolution training.	
2016-002 Workplace Harassment Action Plan Program (WHAPP) Date tabled: Jan. 21, 2016	<p>The job ad for the inspectors dealing with workplace harassment has been posted.</p> <p>OPSEU inquired about the notation at the end of the job ad regarding the employee's paying for the cost of obtaining screening checks. OPSEU also inquired about the statement on the job ad that employees can apply for their own position.</p>	Employer will follow-up and provide responses by April 1. Employer will also provide further updates on the recruitment process at the next meeting.
2016-003 Joint Employee Accommodation Working Group Date tabled: Jan. 21, 2016	Updates were provided from the working group meeting on March 7 th . The next meeting is scheduled for April 4 th .	Further updates will be provided at the next meeting.
2016-004 Operations Division Policies and Procedures (PnP) Re-write Date tabled: Jan. 21, 2016	Parties will continue to discuss an approach to ensure that OPSEU is able to provide input on any proposed changes on PnP.	<p>Employer will provide the Terms of Reference of the Operations Division Policy and Procedures Committee.</p> <p>Employer will also provide the list of all Operations Division committees and members by April 14th.</p>
2016-005 New Employment Standards Direction for the Program Date tabled: Jan. 21, 2016	<p>OPSEU noted that they have not received responses on the concerns and questions raised at the January meeting.</p> <p>OPSEU proposed to form a sub-committee to discuss the program and issues on its implementation.</p>	Employer will arrange a meeting to discuss OPSEU's concerns and ensure that there is representation from Employment Practices Branch (EPB) and Internal Administrative Services Division (IASD).

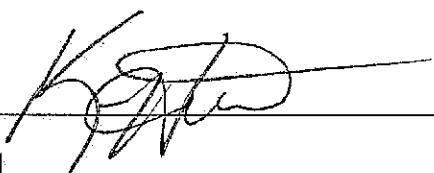
<p>2016-006 Smart Phones/Blackberry for Inspectors and Officers</p> <p>Date tabled: Jan. 21, 2016</p>	<p>A Lone Worker Task Group has been formed, and they will work with the selected vendor on developing the policy and processes on the use of smart phones/blackberry. The Request for Proposal (RFP) is in process and the Employer will provide responses to OPSEU's questions after a vendor and a Lone Worker solution have been selected.</p> <p>The three key attributes of the system are: its ability to summon immediate assistance, it is easy to use and it enables a person to check in and check out, based on individual risk.</p>	<p>Employer will provide updates at the next meeting.</p> <p>When the vendor has been selected, Employer will provide responses to OPSEU's questions.</p>
<p>2016-007 Special Cases</p> <p>Date tabled: Jan. 21, 2016</p>	<p>Parties agreed to refer these special cases to CERC.</p>	

<p>B. New Business</p>		
<p>Issue</p>	<p>Discussion</p>	<p>Action Required</p>
<p>2016-008 Mining Inspector Incident (Operations Division, Northern Region)</p> <p>Date tabled: March 23, 2016</p>	<p>Parties discussed the specific incident involving a mining inspector from Northern Region.</p> <p>Employer advised that SSM management and worker representatives conducted an investigation and identified recommendations.</p>	<p>Employer will develop guidance materials for managers in responding to an incident involving an employee, including a process for notifying emergency contacts.</p>
<p>2016-009 Article 2.1, MERC Terms of Reference</p> <p>Date tabled: March 23, 2016</p>	<p>Parties discussed the role of MERC and both parties remain committed to the principles set out under this article.</p>	

<p>2016-010 Recruitment and Retention (GTA) Date tabled: March 23, 2016</p>	<p>Parties discussed the difficulty of recruiting and retaining inspectors in the GTA area. Employer committed to engage MERC in identifying possible solutions to this issue.</p>	<p>Employer will provide updates at the next meeting. A MERC representative will attend the town hall meeting.</p>
<p>2016-011 Transition Exit Initiative (TEI) Date tabled: March 23, 2016</p>	<p>OPSEU requested for an update on MOL TEI applications.</p>	<p>OPSEU will provide details on specific TEI applications and Employer will follow-up and provide a response at the next meeting. Employer will provide the list of TEI applications that have been approved. This item will be moved to Standing Agenda.</p>
<p>2016-012 Ministry Retirements</p>		<p>Item deferred to the next meeting.</p>

STANDING AGENDA ITEMS		
Issue	Discussion	Action required
<p>2013-002 Committee's Accomplishments</p>	<p>No additions to the list of accomplishments at this time.</p>	
<p>2013-016 Staff Reports</p>	<p>Employer provided staff reports to OPSEU for review. OPSEU identified a number of fixed-term employees who may be eligible for conversion. OPSEU also inquired about three temp agency employees.</p>	<p>Employer will follow-up and provide response.</p>
<p>2014-009 MERC Health and Safety Subcommittee Date tabled: July 16, 2014</p>	<p>No updates at this time.</p>	

<p>2014-022 Quality Assurance (QA) Update</p> <p>Date tabled: July 16, 2014</p>	<p>No updates at this time.</p>	
<p>2014-024 Risk-Based Approach – Better Information for Better Prevention</p> <p>Date tabled: Sept. 29, 2014</p>	<p>No updates at this time.</p>	
<p>2014-025 York University Research Project</p> <p>Date tabled: Sept. 29, 2014</p>	<p>No updates at this time.</p>	



Ken Hill
Co-Chair, OPSEU
Date: March 23, 2016



for Mike Anderson
Co-Chair, Management
Date: March 23,, 2016